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Attorneys for Plaintiff
VIOLET BLUE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VIOLET BLUE, an Individual,
Plaintiff,

v.

ADA MAE JOHNSON a/k/a ADA
WOOFINDEN, an individual d/b/a
VIOLET BLUE a/k/a VIOLET a/k/a
VIOLET LUST; VIOLET BLUE, INC., a
California Corporation; and DOES 1-10,
Defendants.

Case No. C 07-5370 MJJ

**DECLARATION OF COLETTE VOGELE
IN SUPPORT OF PLAINTIFF'S MOTION
FOR SANCTIONS**

Hon. Judge Jenkins
Courtroom 11, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

**Hearing Date: March 04 2008
Hearing Time: 9:00 a.m.**

I, Colette Voge, declare as follows:

1. I am a member of the State Bar of California, admitted to practice before this Court, founding attorney of Voge & Associates, and attorney of record for Plaintiff and movant Violet Blue ("Ms. Blue") herein. The facts contained in this declaration are known personally to me and, if called as a witness, I could and would testify competently thereto under oath.

2. On December 5, 2007, I called Robert Apgood, counsel for Defendant Ada Mae Johnson ("Defendant") by telephone. In that call, I requested a conference to discuss Plaintiff's need to amend the Complaint filed in this action. I explained that Plaintiff wished to amend the complaint to add additional defendants identified in Defendant's Answer, and asked for

C 07-5730 MJJ

DECLARATION OF COLETTE VOGELE ISO PLAINTIFF'S MOTION FOR SANCTIONS

1 Defendant's consent to the proposed amendment. In that conversation Mr. Apgood informed me
2 that Defendant would not consent to Plaintiff's request and would oppose Plaintiff's motion for
3 leave to amend.

4 3. Thereafter, my associates and I researched and prepared a motion for leave to
5 amend the complaint, a declaration including 16 exhibits and a proposed order granting the
6 motion. On December 21, 2008, I filed on behalf of Plaintiff, the Motion for Leave Pursuant To
7 Fed. R. Civ. P. 51(a) To Amend Complaint (Docket No. 9) ("Motion To Amend"), my
8 declaration in support of that Motion to Amend (Docket No. 10), and a proposed order (Docket
9 No. 11). I would not have prepared or filed the Motion To Amend and supporting documents if
10 Defendant had consented to Plaintiff's proposed amendment.

11 4. I am familiar with the hours worked and fees charged by attorneys at Vogeles &
12 Associates. I am also familiar with the copying and administrative costs billed by Vogeles &
13 Associates.

14 5. In this matter, drafting and filing of the Motion To Amend and supporting
15 documents required 18.1 hours of associate time and 5.7 hours of my time. The total fees billed
16 for the attorney time for the Motion To Amend and supporting documentation totaled \$3,912.
17 Plaintiff also incurred \$211 in word processing and copying costs in preparing and filing the
18 Motion To Amend and supporting documentation. In total, Plaintiff incurred attorneys' fees and
19 costs totaling \$4,123 in preparing and filing Plaintiff's Motion for Leave to Amend the
20 Complaint and supporting documents.

21 6. Preparing this motion for sanctions also incurred time and expenses for Plaintiff.
22 To date, this motion has required 6 hours of associate time and 1.8 hours of my time. These fees
23 total \$1,278. I further anticipate requiring approximately 2 hours of associate time and 1 hour of
24 my time to prepare a reply brief, and 2 hours of my time to prepare and appear for any hearing
25 on this motion. Accordingly, I estimate that the total attorneys fees for preparing this motion for
26 sanctions will total \$ 2,208.

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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 29th day of January, 2008, at San Francisco,
3 California.

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5 /S/
6 Colette Vogeles
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